

1 MARISSA R. TEMPLE, ESQ.
2 Nevada Bar No.: 9028
3 ROGERS, MASTRANGELO, CARVALHO & MITCHELL
4 700 South Third Street
5 Las Vegas, Nevada 89101
Phone (702) 383-3400
Fax (702) 384-1460
Email: mtemple@rmcmlaw.com
Atorneys for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9 MICHAEL LUDWIG, an individual,)
10 Plaintiff,)
11 vs.)
12 STATE FARM MUTUAL AUTOMOBILE,)
INSURANCE COMPANY, a foreign)
corporation; DOE individuals I through XX;)
and ROE CORPORATIONS I through XX,)
14 Defendants.)
15)
CASE NO.: 2:21-cv-01527-JCM-VCF

STIPULATED DISCOVERY PLAN AND SCHEDULING ORDER

☒ SUBMITTED IN COMPLIANCE WITH LR 26-1(e)

- or

SPECIAL SCHEDULING REVIEW REQUESTED

Plans requesting special scheduling review shall include, in addition to the information required by Fed. R. Civ. P. 26(f) and LR 26-1(e), a statement of the reasons why longer or different time periods should apply to the case or, in cases in which the parties disagree as to the form or contents of the discovery plan, a statement of each party's position on each point in dispute.

I.

PRIOR PROCEEDINGS

A. DATE OF FILING OF ANSWER BY FIRST ANSWERING DEFENDANT:

September 1, 2021.

B. DATE THE FED. R. CIV. P. 26(F) CONFERENCE WAS HELD:

October 1, 2021.

DISCOVERY PLAN:

A. NUMBER OF DAYS REQUIRED FOR DISCOVERY:

1. Plaintiff's view:

180 days.

2. Defendants' view:

Same.

B. WHAT CHANGES, IF ANY, SHOULD BE MADE IN TIMING, FORM OR REQUIREMENTS FOR DISCLOSURES UNDER 26(a):

Initial disclosures would typically be due 14 days after the Rule 26(f) conference, which would be October 15, 2021. However, by agreement of counsel, the deadline has been extended an additional 14 days to allow counsel additional needed time, due to work load and deadlines, to complete gathering, reviewing, and producing the initial disclosures.

C. WHEN INITIAL DISCLOSURES WERE MADE OR WILL BE MADE:

1. Plaintiff's disclosures: On or before 10/29/2021
enter calendar date

2. Defendants' disclosures: On or before 10/29/2021
enter calendar date

D. SUBJECTS ON WHICH DISCOVERY MAY BE NEEDED:

1. Plaintiff's view:

All discoverable information related to the claims and defenses presented in the pleadings.

2. Defendants' view:

Same.

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28 || //

1 **E. SHOULD DISCOVERY BE CONDUCTED IN PHASES OR LIMITED TO OR**
2 **FOCUSED UPON PARTICULAR ISSUES?**

3 1. Plaintiff's view:

4 No.

5 2. Defendants' view:

6 No.

7 **F. STATE ANY ISSUES ABOUT DISCLOSURE OR DISCOVERY OF**
8 **ELECTRONICALLY STORED INFORMATION, INCLUDING THE FORM**
9 **OR FORMS IN WHICH IT SHOULD BE PRODUCED.**

10 1. Plaintiff's view:

11 Plaintiff is not in possession of any electronically stored information that would
12 require any special consideration at this time.

13 2. Defendant's view:

14 Defendant is not in possession of any electronically stored information that
15 would require any special consideration at this time.

16 **G. STATE ANY ISSUES ABOUT CLAIMS OF PRIVILEGE OR OF**
17 **PROTECTION AS TRIAL-PREPARATION MATERIALS, INCLUDING-IF**
18 **THE PARTIES AGREE ON A PROCEDURE TO ASSERT THESE CLAIMS**
19 **AFTER PRODUCTION-WHETHER TO ASK THE COURT TO INCLUDE**
20 **THEIR AGREEMENT IN AN ORDER.**

21 1. Plaintiff's view:

22 The Parties are not aware of any privilege issues that need to be addressed at
23 this time.

24 2. Defendants' view:

25 The Parties are not aware of any privilege issues that need to be addressed at
26 this time.

27 **H. WHAT CHANGES, IF ANY, SHOULD BE MADE IN LIMITATIONS ON**
28 **DISCOVERY IMPOSED UNDER THESE RULES AND WHAT, IF ANY,**
29 **OTHER LIMITATIONS SHOULD BE IMPOSED?**

30 1. Plaintiffs view:

31 None.

32 2. Defendants' view:

33 None.

1 **I. WHAT, IF ANY, OTHER ORDERS SHOULD BE ENTERED BY THE
2 COURT UNDER RULE 26© OR RULE 16(b) AND ©?**

- 3 1. Plaintiff's view:

4 None.

- 5 2. Defendants' view:

6 None.

7 **DISCOVERY AND MOTION DATES:**

8 **A. DATES AGREED BY PARTIES:**

- 9 1. Close of discovery: February 28, 2022

10 enter calendar date

11 (Discovery periods longer
12 than 180 days from the date
13 the first defendant answers or
14 appears will require special
15 scheduling review)

- 16 2. Final date to file motions to amend pleadings or add parties (without a
17 further court order): November 30, 2021

18 enter calendar date

19 (Not later than 90 days before
20 close of discovery)

- 21 3. Final dates for expert disclosures:

- 22 (a) Initial disclosure: December 30, 2022

23 enter calendar date

24 (Not later than 60 days before
25 close of discovery)

- 26 (b) Rebuttal disclosures: January 28, 2022

27 enter calendar date

28 (Not later than 30 days after
initial disclosure of experts)

- 29 4. Final date to file dispositive motions: March 30, 2022

30 enter calendar date

31 (Not later than 30 days after
discovery cut-off date)

- 32 5. Joint Pretrial Order: April 29, 2022

33 enter calendar date

34 (Not later than 30 days after
date set for dispositive
motions)

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36 ///

37 ///

1 **B. IF APPLICABLE, STATEMENT OF THE REASONS WHY LONGER OR
2 DIFFERENT TIME PERIODS SHOULD APPLY TO THE CASE OR, IN
3 CASES IN WHICH THE PARTIES DISAGREE AS TO THE FORM OR
4 CONTENTS OF THE DISCOVERY PLAN, A STATEMENT OF EACH
5 PARTY'S POSITION ON EACH POINT IN DISPUTE:**

6 1. Issues as to which all Parties agree:

7 Not applicable.

8 2. Issues in dispute:

9 Not applicable.

10 **STIPULATION TO SERVICE BY ELECTRONIC MEANS**

11 The Parties all agree to accept service of all unfiled documents, correspondence, and discovery
12 in this case via the email addresses below:

Individual	Email	On Behalf of
Marissa R. Temple, Esq.	Mtemple@rmcmclaw.com	Defendant State Farm Mutual Automobile Insurance Company
Roger P. Croteau, Esq.	croteaulaw@croteaulaw.com	Plaintiff Michael Ludwig
Kenneth L. Harris, Esq.	kenneth@croteaulaw.com	Plaintiff Michael Ludwig

18 Dated this 15th day of October, 2021.

Dated this 15th day of October, 2021.

19 ROGERS, MASTRANGELO, CARVALHO
20 & MITCHELL

ROGER P. CROTEAU & ASSOCIATES,
LTD.

21 */s/ Marissa R. Temple*
22 MARISSA R. TEMPLE
23 Nevada Bar No. 9028
24 700 South Third Street
25 Las Vegas, Nevada 89101
26 Attorney for Defendant

27 */s/ Kenneth L. Harris*
28 ROGER P. CROTEAU, ESQ.
29 Nevada Bar No.
30 KENNETH L. HARRIS, ESQ.
31 Nevada Bar No.
32 2819 West Charleston Blvd., Suite 75
33 Las Vegas, Nevada 89102
34 Attorneys for Plaintiff

35 IT IS SO ORDERED.

36 ///



37 Cam Ferenbach
38 United States Magistrate Judge

39 DATED 10-18-2021